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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,175	01/09/2001	Pang-Chia Lu	10234-2	1308
23455	7390	01/21/2004	EXAMINER	
EXXONMOBIL CHEMICAL COMPANY			CHANG, VICTOR S	
P O BOX 2149				
BAYTOWN, TX 77522-2149			ART UNIT	PAPER NUMBER
			1771	

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,175

Examiner

Victor S Chang

Applicant(s)

LU ET AL.

Art Unit

1771

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-5, 8-27, 29 and 31-38 is/are pending in the application.
- 4a) Of the above claim(s) 8-27 and 37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 29, 31-36 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other _____

DETAILED ACTION

1. The Examiner has carefully considered Applicants' amendments and remarks filed on 12/1/2003. Applicants' amendments to claims 1, 31 and 38, and cancellation of claims 2, 6, 7 and 30 have been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Rejections not maintained are withdrawn. In particular, Applicants' amendments and arguments with respect to the rejection of claims 1-7 under 35 U.S.C. 102(b), and 29-36 and 38 under 35 U.S.C. 103(a), both over Park et al. (US 4758462) alone, have been fully considered and are persuasive. However, Applicants' arguments are moot in view of the new grounds of rejection made over Park et al. in view of Baird (US 5006394).

Response to Amendment

4. Claims 1, 3-5, 29, 31-36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. (US 4758462) in view of Baird (US 5006394), substantially for the reasons set forth in sections 5 and 6 of Paper No. 0819, together with the following additional observations.

It is noted that newly amended claims 1, 31 and 38 now recites in part "wherein each layer of said film is substantially free of voids" with support in the Specification, at pages 16-17, bridging paragraph, which states "it is possible to form an opaque core

layer 14 that is substantially free of voids where the opacity is achieved by the addition of opacifying compounds".

With respect to Applicants' response arguing that "Park does not disclose a film ... wherein each layer of the film is substantially free of voids" (Remarks, page 10, fifth paragraph), the Examiner notes that although Park is silent about forming an opaque core layer which is substantially free of voids, it is noted that Baird's invention is directed to a polymeric multilayer film having a high percentage of fillers to increase opacity (Abstract and column 1, lines 11-14)). Baird teaches that a substantially void-free polymeric multilayer film which exhibits an opaque appearance without being stretched, the film comprises a core layer which contains about 15 to about 60 weight percent fillers substantially uniformly dispersed therein (column 8, lines 39-65). Further, Baird teaches that the prior art of multilayered opaque film requires stretching of the film to provide opacity, which adds a step to the manufacturing process and increased cost (column 1, lines 41-43). As such, it would have been obvious to one of ordinary skill in the art to modify Park's core layer with Baird's void free opaque core layer, motivated by the desire to reduce the manufacturing cost.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 571-272-1474. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-0994.

DANIEL ZIRKER
PRIMARY EXAMINER
GROUP 1800

1700

Daniel Zinker